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SUBJECT: JEM DEVELOPS FRAMEWORK AGREEMENT FOR TALKS AS UN/AU  
MEDIATION "PARALYZED"

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Summary  
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¶1. (SBU) Viewing the UN/AU mediation for Darfur as "paralyzed," JEM is crafting a "framework agreement" that outlines its conditions for adherence to a cessation of hostilities and participation in negotiations with the Sudanese Government. If Sudan then rejects negotiations, JEM will return to a "holistic solution" that expands the war outside Darfur. JEM's recent demand for single chief mediator and the exclusion of other rebel movements from the peace process is rooted in its frustration with the fragmentation of the SLA; the absence of clear channels of communication with the UN/AU; and the lack of a single, effective UN/AU mediator. Though affirming the importance of the census and elections for the "political transformation" of Sudan, JEM maintains that neither are possible before a political settlement and is proposing a conference of opposition political parties to unlock the stalemate in Darfur.  
End summary.

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JEM DRAFTING FRAMEWORK FOR TALKS  
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¶2. (SBU) Characterizing the UN/AU mediation on Darfur as "paralyzed," the Justice and Equality Movement (JEM) is crafting a "framework agreement" to serve as the basis for re-energizing negotiations with Sudan, JEM representatives told Poloff on March 28 and 30. Gibriel Fediil, the movement's chief economic advisor and an influential political figure, and Abdelaziz Osher, the chief political advisor, explained that JEM's recent call for direct negotiations with Khartoum--excluding the participation of the other movements--resulted from a frustration with the fragmentation of the Sudan Liberation Army (SLA); the absence of clear channels of communication with the UN/AU; and the lack of a single, effective UN/AU mediator. If Khartoum continues to reject negotiations, the JEM representatives said they would consider a "holistic solution" by expanding the conflict outside Darfur to include Kordofan and Eastern Sudan.

¶3. (SBU) "The SLM have become warlords scattered throughout Darfur," said Fediil, "and a mediation with two heads (i.e. UN Envoy Jan Eliasson and AU Envoy Salim Ahmed Salim) will never lead to anything of value. If we don't enter into negotiations with the Government,

we're neglecting our people." Clarifying previous comments made by JEM Chairman Khalil Ibrahim, Fedeil and Osher explained that while JEM viewed Kofi Annan as an ideal chief mediator, they are open to other candidates as long as the mediator represents both the UN and AU.

¶ 14. (SBU) The "framework agreement" being drafted is in effect a declaration of principles that JEM will require the Government to accept before negotiations can begin--and before JEM will commit to a cessation of hostilities. The framework will demand that Darfur's three states be consolidated into a single region, that one fifth of the positions in the national government be reserved for Darfurians, and that a "proper" mechanism for monitoring a ceasefire be established, in addition to conditions on wealth-sharing.

¶ 15. (SBU) If Sudan accepts these requirements, the negotiations can then focus on the specifics in these areas, such as the governing structure of the single Darfur state and which positions in the national government will be reserved for Darfurians. Fedeil promised to provide Poloff with a copy of the framework after it is finalized (around early May) but will only give a copy to the UN/AU when the "right mediation" is in place. JEM envisions an effective mediator "shuttlin" between the movement and the Government to build agreement on the framework and then convening negotiations.

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o Disarmament During "Transition"  
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¶ 16. (SBU) The JEM representatives asserted that the movement will need to maintain its forces during--and after--negotiations. Having learned from the Darfur Peace Agreement (DPA), they claimed that the rebel movements will not disarm during a "transitional period" and will need to maintain a force presence in Khartoum in order to ensure that Sudan adheres to its commitments. They questioned the impact of international leverage on Sudan, calling the National Congress Party (NCP) "immune" to foreign pressure.

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Forging "United Vision" Among Opposition  
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¶ 17. (SBU) JEM is also considering convening a conference of the "political opposition" to develop a "united vision" for unlocking the political stalemate in Darfur. The movement would invite all the major political parties in Sudan, including the Sudan People's Liberation Movement (SPLM), the Popular Congress Party (PCP), the Democratic Unionist Party (DUP), and the Umma Party. Fedeil admitted that the conference would aim to prevent the NCP from absorbing the Umma Party and the PCP, noting that coalition discussions between the three parties are ongoing. While the JEM representatives saw some value in reconciliation among these parties, they said that the "dissolution" of Umma and the PCP into the NCP will be disastrous for Darfuran political aspirations. (Note: JEM is often viewed as an extension of Hassan Al Turabi's PCP. If the PCP discussions with the NCP are in fact occurring, JEM's decision to distance itself from this rapprochement is an interesting development. End note.)

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Census, Elections Impossible in Current Climate  
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¶ 18. (SBU) Echoing the sentiments of many Darfurians and the majority of the rebel movements, JEM stated that neither elections nor the census can occur in Darfur until a political settlement is reached with the Government. "We are absolutely opposed to the census at this time," said Osher. While JEM recognizes that a census is important for the "political transformation" of Sudan, the lack of sound preparation and the probability of NCP manipulation will make the upcoming census a "fake." Fedeil said that if the international community wanted to avoid census-related violence, it should ask the Government to postpone the census. He also recommended that international representatives not associate themselves with the

census, particularly in the IDP camps, given the likelihood of a popular backlash.

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U.S. Misunderstands JEM  
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¶ 19. (SBU) Fedeil and Osher bemoaned U.S. "misperceptions" of JEM and criticized the USG for its "unbalanced punishment" of the movement. Both SLA leader Abdulwahid al Nur and Ibrahim refused the DPA, but the U.S. only sanctioned Ibrahim. JEM felt that U.S. policy reflected "Islamaphobia" and that JEM in fact shared U.S. goals for stability and democracy in Sudan. JEM's efforts to stimulate negotiations through development of the framework agreement are indicative of its good intentions, said Fedeil, as is its cooperation with UNAMID. "We are happy to see UNAMID protecting our people because JEM cannot protect each and every corner of Darfur," said Fedeil. "We just need a clear way to communicate with UNAMID in order to prevent friction. Now there is no consistent contact."

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Comment  
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¶ 10. (SBU) Numerous independent accounts indicate that JEM is losing ground militarily and politically as a result of the Sudanese offensive in West Darfur, defections from within the movement, and a possible shift in Chadian backing (reflets). This weakness may explain JEM's renewed (if possibly rhetorical) interest in negotiations. Its attempt to exclude other movements from such negotiations reflects its rivalry with the United Revolutionary Front (URF) led by former JEM Secretary General Bahar Idriss Abu Gharda, which is making progress in closing ranks with another powerful faction, SLA/Unity. Though the stipulations in the framework agreement are maximalist positions unacceptable to Khartoum, a sophisticated mediation could nonetheless capitalize on JEM's eagerness for dialogue while simultaneously opening discussions with the SLA factions--with the goal of bringing the two tracks together down the road. End comment.

¶ 11. (U) Tripoli minimize consideed.

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